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OCT 11 2001
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Patent, Trademark and Copyright Causes
Unfair Competition, Trade Secrets,
Licensing and Litigation

*Practice limited to Matters and Proceedings
before Federal Courts and Agencies; not Admitted
in DC

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** Registered Patent Agent: not Admitted in DC

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TC 1700

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Commissioner of Patents
Box AF
Washington, D.C. 20231

Application No. 09/402,362
Filing Date: October 4, 1999
Title: FOOD GRADE WAX AND PROCESS FOR PREPARING SAME
Inventors: Marjorie Gan VALIX
Group Art Unit: 1761
Examiner: R. Madsen
Atty Docket No.: 23999

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application and Provisional Application Practice, Final Rule 65 Fed. Reg. 50092 9Aug. 16, 2000; Interim Rule, 65 Fed. Reg. 14865 (mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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02 FC:179

1. Submission required under 37 C.F.R. § 1.114

- a. Previously submitted
i. Consider the amendments(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
iii. Other _____.
- b. Enclosed
i. Amendment/Reply
ii. Affidavit(s)/Declaration(s)
iii. Information Disclosure Statement (IDS)
iv. Other _____.

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____.

3. Fees
(The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed)

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Acct. No. 14-0112.
i. RCE fee of \$ 740.00 required under 37 C.F.R. § 1.17 (e) is enclosed.
ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
iii. Other _____.

Respectfully submitted,
NATH & ASSOCIATES PLLC

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Date: October 11, 2001
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Attorney Docket No. 23999

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In Application of

Marjorie Gan VALIX

Art Unit: 1761

Serial No.: 09/402,362

Examiner: R. Madsen

Filed: October 4, 1999

For: **FOOD GRADE WAX AND PROCESS FOR PREPARING SAME**

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10/16/01

RESPONSE AND AMENDMENT UNDER 37 CFR 1.116

Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the final Office Action dated April 11, 2001. The three-month shortened statutory period was set to expire on July 11, 2001; accordingly a petition for a three-month extension, a Request for Continued Examination and checks for the same are being filed herewith, extending the period for response to October 11, 2001.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all pending claims are now in condition for allowance. In response to the Office Action, please amend the above-identified patent application as follows:

IN THE CLAIMS

Please cancel claim 1 without prejudice or disclaimer to the subject matter contained therein.

Please amend claims 2 and 17 and add newly submitted claim 18 as per attached with this response. Attachment A contains a marked-up copy of the claim amendments, and Attachment B contains a clean copy of the amended claims.